

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re BP p.l.c. Securities Litigation

No. 4:10-MD-02185

Robert R. Glenn,

No. 4:11-cv-02941

Plaintiff,

Honorable Keith P. Ellison

v.

BP p.l.c.,

Defendant.

**DECLARATION OF JACOB S. GILL IN SUPPORT OF PLAINTIFF ROBERT R.
GLENN'S MEMORANDUM IN OPPOSITION TO DEFENDANT BP'S MOTION TO
DISMISS THE CLASS ACTION COMPLAINT**

I, Jacob S. Gill, declare under penalty of perjury as follows:

1. I am an associate at the law firm of Stoll Stoll Berne Lokting & Shlachter P.C., counsel for plaintiff Robert R. Glenn ("Plaintiff") in this case.
2. I respectfully submit this Declaration in support of Plaintiff Robert R. Glenn's Memorandum in Opposition to Defendant BP's Motion to Dismiss the Class Action Complaint.
3. Attached hereto as Exhibit A is a true and correct copy of defendant BP p.l.c.'s ("Defendant") Form 6-K, part 1 of 2, filed with the Securities and Exchange Commission ("SEC"), for the period ended April 27, 2010, printed from the SEC's website on October 25, 2011, *available at*

<http://www.sec.gov/Archives/edgar/data/313807/000119163810000491/bp201004276k.htm>.

{SSBLS Main Documents\8127\001\00322977-1 }

4. Attached hereto as Exhibit B is a true and correct copy of Defendant's Form 6-K, part 2 of 2, filed with the SEC for the period ended April 27, 2010, printed from the SEC's website on October 25, 2011, *available at*
<http://www.sec.gov/Archives/edgar/data/313807/000119163810000493/bp201004276k2.htm>.

5. Attached hereto as Exhibit C is a true and correct copy of Defendant's Form 6-K, filed with the SEC for the period ended May 11, 2010, printed from the SEC's website on October 25, 2011, *available at*
<http://www.sec.gov/Archives/edgar/data/313807/000119163810000584/bp201005116k.htm>.

6. Attached hereto as Exhibit D is a true and correct copy of Defendant's Form 6-K, filed with the SEC for the period ended June 8, 2010, printed from the SEC's website on October 25, 2011, *available at*
<http://www.sec.gov/Archives/edgar/data/313807/000119163810000717/bp201006086k.htm>.

7. Attached hereto as Exhibit E is a true and correct copy of Defendant's Form 6-K, filed with the SEC for the period ended June 16, 2010, printed from the SEC's website on October 25, 2011, *available at*
<http://www.sec.gov/Archives/edgar/data/313807/000119163810000743/bp201006166k3.htm>.

8. Attached hereto as Exhibit F is a true and correct copy of Defendant's Amended and Restated Deposit Agreement, dated as of August 1, 2007, which was filed with the SEC on July 24, 2007, as Exhibit (a) to Form F-6, printed from the SEC's website on October 25, 2011, *available at*
http://www.sec.gov/Archives/edgar/data/313807/000114420407038029/v081762_ex99-a.htm.

9. Attached hereto as Exhibit G is a true and correct copy of Amendment No. 1 to Deposit Agreement, dated as of March 8, 2010, which was filed with the SEC on March 8, 2010, {SSBLS Main Documents\8127\001\00322977-1 }

as Exhibit (a)(2) to Post-Effective Amendment No. 1 to Form F-6, printed from the SEC's website on October 25, 2011, *available at*

http://www.sec.gov/Archives/edgar/data/313807/000119380510000667/e606539_ex99-a2.htm.

10. Attached hereto as Exhibit H is a true and correct copy of Defendant's Annual Return, which was filed with the Registrar of Companies for England and Wales ("Registrar") on January 6, 2011, printed from the Registrar's website on October 25, 2011, *available at* <http://www.companieshouse.gov.uk>.

11. Attached hereto as Exhibit I is a true and correct copy of Robert A. Malone's written testimony to the U.S. House of Representatives' Energy & Commerce Committee, Subcommittee on Oversight and Investigations, dated September 7, 2006. The same testimony was submitted to the U.S. Senate, *available at* <http://ftp.resource.org/gpo.gov/hearings/109s/32146.txt> (last visited Oct. 25, 2011).

12. Attached hereto as Exhibit J is a true and correct copy of an excerpt from *Massive Oil Spill in the Gulf of Mexico: Hearing Before the Committee on Energy and Natural Resources United States Senate*, 111th Cong. 34-40 (2010) (statement of Lamar McKay, President and Chairman, BP America, Inc.), printed from the U.S. Government Printing Office's website on October 25, 2011, *available at* <http://www.gpo.gov/fdsys/pkg/CHRG-111shrg61700/pdf/CHRG-111shrg61700.pdf>.

13. Attached hereto as Exhibit K are true and correct copies of the cover pages, statements of agency, and a statement about the Texas city refinery in 2006 from Defendant's Annual Reports filed with the SEC annually from June 28, 2004 through March 5, 2010. Defendant's Annual Reports for this time period are on the internet, printed from the SEC's

website on October 25, 2011, *available at*:

{SSBLS Main Documents\8127\001\00322977-1 }

2003 (filed June 28, 2004)

<http://www.sec.gov/Archives/edgar/data/313807/000119312504110485/d20f.htm>

2004 (filed June 30, 2005)

<http://www.sec.gov/Archives/edgar/data/313807/000104746905018487/a2159853z20-f.htm>

2005 (filed June 30, 2006)

<http://www.sec.gov/Archives/edgar/data/313807/000115697306000772/u50124e20vf.htm>

2006 (filed March 6, 2007)

<http://www.sec.gov/Archives/edgar/data/313807/000115697307000346/b848881-20f.htm>

2007 (filed March 4, 2008)

http://www.sec.gov/Archives/edgar/data/313807/000115697308000263/u54999_20f.htm

2008 (filed March 4, 2009)

<http://www.sec.gov/Archives/edgar/data/313807/000115697309000125/u06412e20vf.htm>

2009 (filed March 5, 2010)

<http://www.sec.gov/Archives/edgar/data/313807/000095012310021364/u08439e20vf.htm>

2010 (filed March 2, 2011)

<http://www.sec.gov/Archives/edgar/data/313807/000095012311021108/u10175e20vf.htm>

14. Attached hereto as Exhibit L is a true and correct copy of the Certificate from the Office of the Secretary State of the State of Oregon, dated October 25, 2011, certifying that BP America Inc. was authorized to transact business in Oregon on October 3, 2000.

15. Attached hereto as Exhibit M is a true and correct copy of BP America Inc.'s Application for Authority to Transact Business in Oregon.

16. Attached hereto as Exhibit N is a true and correct copy of the Annual Report filed by BP America Inc. with the Oregon Secretary of State on August 25, 2011.

17. Attached hereto as Exhibit O is a true and correct copy of Defendant's welcome letter to its shareholders, printed from Defendant's website on October 25, 2011, *available at* http://www.bp.com/liveassets/bp_internet/globalbp/STAGING/global_assets/downloads/I/IC_BP_Welcome_document.pdf. Shareholders link to the welcome letter via Defendant's website,

<http://www.bp.com/sectiongenericarticle800.do?categoryId=9038601&contentId=7070633>.

{SSBLS Main Documents\8127\001\00322977-1 }

18. Attached hereto as Exhibit P is a true and correct copy of BP Holdings North America Limited's Annual Return, dated December 20, 2010, printed from the Registrar's website on October 26, 2011, *available at* <http://www.companieshouse.gov.uk>.

19. Attached hereto as Exhibit Q is a true and correct copy of BP Holdings North America Limited's Annual Report and Accounts 2010 for the year ended December 30, 2010, printed from the Registrar's website on October 26, 2011, *available at* <http://www.companieshouse.gov.uk>.

20. Attached hereto as Exhibit R is a true and correct copy of Defendant's "Notice of Meeting," scheduled for April 24, 2003, printed from Defendant's website on October 26, 2011, *available at* <http://www.bp.com/downloadlisting.do?categoryId=9036124&contentId=7066773>.

21. Attached hereto as Exhibit S is a true and correct copy of an excerpt from Defendant's "Notice of Meeting," scheduled for April 15, 2004, printed from Defendant's website on October 26, 2011, *available at* <http://www.bp.com/downloadlisting.do?categoryId=9036124&contentId=7066773>.

22. Attached hereto as Exhibit T is a true and correct copy of an excerpt from Defendant's "Notice of Meeting," scheduled for April 14, 2005, printed from Defendant's website on October 26, 2011, *available at* <http://www.bp.com/downloadlisting.do?categoryId=9036124&contentId=7066773>.

23. Attached hereto as Exhibit U is a true and correct copy of an excerpt from Defendant's "Notice of BP Annual General Meeting 2006," scheduled for April 20, 2006, printed from Defendant's website on October 26, 2011, *available at* <http://www.bp.com/downloadlisting.do?categoryId=9036124&contentId=7066773>.

24. Attached hereto as Exhibit V is a true and correct copy of an excerpt from {SSBLS Main Documents\8127\001\00322977-1 }

Defendant's "Notice of BP Annual General Meeting 2007," scheduled for April 12, 2007, printed from Defendant's website on October 26, 2011, *available at* <http://www.bp.com/downloadlisting.do?categoryId=9036124&contentId=7066773>.

25. Attached hereto as Exhibit W is a true and correct copy of an excerpt from Defendant's "Notice of BP Annual General Meeting 2008," scheduled for April 17, 2008, printed from Defendant's website on October 26, 2011, *available at* <http://www.bp.com/downloadlisting.do?categoryId=9036124&contentId=7066773>.

26. Attached hereto as Exhibit X is a true and correct copy of an excerpt from Defendant's "Notice of BP Annual General Meeting 2009," scheduled for April 16, 2009, printed from Defendant's website on October 26, 2011, *available at* <http://www.bp.com/downloadlisting.do?categoryId=9036124&contentId=7066773>.

27. Attached hereto as Exhibit Y is a true and correct copy of Defendant's "Notice of BP Annual General Meeting 2010," scheduled for April 15, 2010, printed from Defendant's website on October 26, 2011, *available at* <http://www.bp.com/downloadlisting.do?categoryId=9036124&contentId=7066773>.

28. Attached hereto as Exhibit Z is a true and correct copy of an excerpt from Defendant's "Notice of BP Annual General Meeting 2011," scheduled for April 14, 2011, printed from Defendant's website on October 26, 2011, *available at* <http://www.bp.com/downloadlisting.do?categoryId=9036124&contentId=7066773>.

29. Attached hereto as Exhibit AA is a true and correct copy of the affidavit of service of Plaintiff's complaint and related documents on Defendant, which was not filed with the court.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

DATED this 26th day of October, 2011.

/s/ Jacob Gill
Jacob Gill

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Declaration of Jacob S. Gill in Support of Plaintiff Robert P. Glenn's Memorandum in Opposition to Defendant BP's Motion to Dismiss the Class Action Complaint of has been served through the Court's electronic filing and notification system on October 26, 2011.

/s/ Jacob Gill
Jacob Gill